

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION**

CHARLES FITZGERALD,

Plaintiff,

v.

NCI BUILDING SYSTEMS, INC.,

Defendant.

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No. 12-cv-1073

JURY DEMANDED

ORDER

The Court has considered the parties' Joint Motion to Dismiss with Prejudice and has determined that the motion should be GRANTED. Therefore, IT IS ORDERED that this case is DISMISSED with PREJUDICE.

Signed this 2nd day of October, 2012, in Jackson, Tennessee.

s/ J. DANIEL BREEN
UNITED STATES DISTRICT JUDGE